

**IN THE CIRCUIT COURT OF LAMAR COUNTY, MISSISSIPPI**

**ROBERT DAVID KEITH**

**PLAINTIFF**

**VERSUS**

**CAUSE NO. 2012-092M**

**DOUG BOUTWELL**

**DEFENDANT**

**CERTIFICATE**

**I, LESLIE WILSON, CIRCUIT CLERK, LAMAR COUNTY, MISSISSIPPI, DO  
HEREBY CERTIFY THAT THE ATTACHED 8 PAGES ARE TRUE AND  
CORRECT COPIES OF ALL PAPERS FILED IN THE ABOVE STYLED AND  
NUMBERED CAUSE IN THE CIRCUIT COURT OF LAMAR COUNTY,  
MISSISSIPPI.**

**GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS THE 29<sup>TH</sup>  
DAY OF JUNE, 2012.**

**LESLIE WILSON, CIRCUIT CLERK  
LAMAR COUNTY, MISSISSIPPI**

**BY Pam Sellers**



IN THE CIRCUIT COURT OF LAMAR COUNTY, MISSISSIPPI

ROBERT DAVID KEITH

PLAINTIFF

v.

CAUSE NO.

2012-092

DOUG BOUTWELL

DEFENDANT

**FILED**

LAMAR JUN 21 2012 CIRCUIT  
COUNTY CLERK

TO: **DOUG BOUTWELL**

*Leslie Wilson*

**SUMMONS**

**NOTICE TO DEFENDANT**

THE COMPLAINT ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU  
MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

YOUR ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN  
RESPONSE TO THE COMPLAINT TO TIMOTHY J. MATUSHESKI, ATTORNEY AT  
LAW, PO BOX 15758 WAYNESBORO, MS 39404, ATTORNEY FOR THE PLAINTIFF.  
YOUR RESPONSE MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS  
FROM THE DATE OF DELIVERY OF THIS SUMMONS AND COMPLAINT OR A  
JUDGMENT BY DEFAULT WILL BE ENTERED AGAINST YOU FOR THE MONEY OR  
OTHER THINGS DEMANDED IN THE COMPLAINT.

YOU MUST ALSO FILE THE ORIGINAL OF YOUR RESPONSE WITH THE CLERK  
OF THIS COURT WITHIN A REASONABLE TIME AFTERWARD.

ISSUED UNDER MY HAND AND THE SEAL OF SAID COURT, THIS 18 <sup>th</sup> DAY  
OF JUNE, A.D., 2012



CLERK OF LAMAR COUNTY  
*[Signature]*  
By LESLIE WILSON Deputy Clerk  
CIRCUIT CLERK  
LAMAR COUNTY  
P O BOX 369  
PURVIS, MISSISSIPPI 39475

**PROOF OF SERVICE**

CIRCUIT COURT OF LAMAR COUNTY, MISSISSIPPI

Plaintiff

**Robert David Keith**

vs.

Defendant

**Doug Boutwell**

**Case No: 2012-092  
Compliance Date: 6/21/2012**

I Michelle Murray, being duly sworn, depose and say, I have been duly authorized to make service of the document(s) listed herein in the above styled case. I am over the age of 18, and am not a party to or otherwise interested in this matter.

Date/Time Received: 6/18/2012

**Document(s): Summons and Complaint**

**Serve To: Doug Boutwell**

**Date/Time Served: 6/20/2012 5:47 PM**

**Method of Service: Personal Service**

**Person Served: Doug Boutwell**

**Location of Service: 205 Main St # B Purvis, MS 39475**

I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.

Michelle Murray

Michelle Murray,

Quantum Process  
418 Pittman Road  
Ellisville, MS 39437  
(601) 319-2675

ID: 25828

Executed on 6-21-12

State of MS

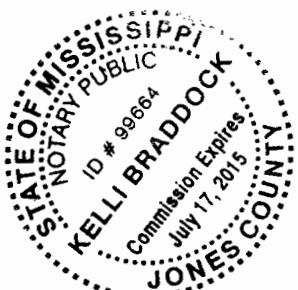
County of Jones

Subscribed and sworn to before me, a notary public, on 6/21/12

Kelli Braddock

Notary Public

My Commission Expires: 7/17/12



**FILED**

LAMAR JUN 21 2012 CIRCUIT  
COUNTY CLERK

Leah Wilson

IN THE CIRCUIT COURT OF LAMAR COUNTY, MISSISSIPPI

ROBERT DAVID KEITH

PLAINTIFF

v.

CAUSE NO. 3012-092

DOUG BOUTWELL

DEFENDANT

**SUMMONS**

TO: **DOUG BOUTWELL**

**NOTICE TO DEFENDANT**

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ISSUED UNDER MY HAND AND THE SEAL OF SAID COURT, THIS 18<sup>th</sup> DAY  
OF JUNE, A.D., 2012.



**CLERK OF LAMAR COUNTY**

By Leslie Wilson <sup>Re</sup> Deputy Clerk  
CIRCUIT CLERK  
LAMAR COUNTY  
P O BOX 369  
PURVIS, MISSISSIPPI 39475

IN THE CIRCUIT COURT OF LAMAR COUNTY, MISSISSIPPI

ROBERT DAVID KEITH

LAMAR COUNTY JUN 18 2012 CIRCUIT CLERK

v.

PLAINTIFF

DOUG BOUTWELL

CASE NO.: 2012-092

DEFENDANT

**COMPLAINT - JURY TRIAL DEMANDED**

COMES NOW Robert David Keith, filing this his Complaint, stating as follows, to wit:

1. Plaintiff Robert David Keith ("Keith") is an adult resident citizen of Jones County, Mississippi. Keith's address is 416 Pittman Road, Ellisville, Mississippi.
2. Defendant Doug Boutwell ("Boutwell") is a Lamar County Sheriff's Officer. Boutwell's address is 81 Corinth Cut-Off, Purvis, Mississippi. At all relevant times, Boutwell was acting under color of state law.
3. Venue is proper in this Court because the acts and omissions giving rise to this cause of action occurred in Lamar County, and Boutwell resides in Lamar County.
4. Although Keith maintains none of his claims are subject to the Mississippi Tort Claims Act, he timely complied with all applicable pre-suit notice requirements.
5. On July 26, 2011, Keith traveled to 59 Griffith Road, Hattiesburg, Mississippi to serve process on Donna Morgan ("Morgan").
6. At the same location, Boutwell criminally interfered with Keith's duty and right to serve process on Morgan.
7. When Keith told Morgan and Boutwell that Keith had process to serve, Boutwell knowingly and willfully opposed Keith's right and duty to serve process on Morgan.
8. Keith tossed the process on Morgan's front lawn, turned around and returned to his

car.

9. Immediately thereafter, Boutwell pointed his Taser weapon at Keith, and threatened to deploy Taser darts into Keith's person.

10. Immediately thereafter, Boutwell attacked Keith and handcuffed Keith for attempting to serve process on Morgan

11. Boutwell unlawfully searched Keith and confiscated Keith's concealed weapon and ammunition, and ripped a bluetooth ear-piece from Keith's ear.

12. Boutwell's attack upon Keith caused a dent to appear on the hood of Keith's car.

13. Boutwell caused Keith to be held by Lamar County Jail for an unreasonable amount of time without a phone call or an attorney.

14. Boutwell caused Lamar County to refuse Keith's right to make a criminal complaint against Morgan or Boutwell for their criminal conduct.

15. Boutwell caused Lamar County to bring and prosecute disorderly conduct charges against Keith knowing there was no probable cause.

16. Boutwell refuses to return Keith's personal property, including his personal handgun.

17. At all relevant times, Boutwell's conduct was intentional, reckless or grossly negligent and Boutwell recklessly disregarded Keith's rights.

**COUNT ONE - CIVIL RIGHTS VIOLATIONS**

18. Keith incorporates the allegations set forth above into this Count One.

19. Boutwell's misconduct caused violations of Keith's constitutional rights, including his right to liberty, freedom from wrongful detention and excessive force, freedom of speech, freedom from malicious prosecution, access to the Courts, and due process

**FILED**

LAMAR JUN 18 2012 CIRCUIT  
COUNTY CLERK

*Leslie Wilson*

20. These constitutional violations caused Keith embarrassment, lost income, mental anguish, reputational damages, attorney's fees, litigation costs and other damages to be proven at trial.

**COUNT TWO - ASSAULT AND BATTERY**

21. Keith incorporates the allegations set forth above into this Count Two.

22. Boutwell intentionally, maliciously, recklessly, gross negligently and willfully made harmful and offensive contact with Keith.

23. Keith was apprehensive of Boutwell's imminent harmful or offensive contact.

24. Boutwell's tortious conduct caused Keith embarrassment, lost income, mental anguish, reputational damages, attorney's fees, litigation costs and other damages to be proven at trial.

**COUNT THREE - MALICIOUS PROSECUTION, FALSE ARREST AND FALSE IMPRISONMENT**

25. Keith incorporates the allegations set forth above into this Count Three.

26. Boutwell intentionally, maliciously, recklessly, gross negligently and willfully caused Keith's unlawful arrest, and caused the pursuit of criminal charges against Keith without probable cause.

27. This misconduct caused Keith embarrassment, lost income, mental anguish, reputational damages, attorney's fees, litigation costs and other damages to be proven at trial.

**COUNT FOUR - TORTIOUS INTERFERENCE WITH BUSINESS**

28. Keith incorporates the allegations set forth above into this Count Four.

29. Keith is in the business of serving process throughout the United States, and Boutwell's misconduct caused Keith damages in his business affairs.

**FILED**

30. Boutwell intentionally, maliciously, recklessly, gross negligently and willfully interfered with Keith's process server business.

31. Boutwell's conduct in this regard caused Keith embarrassment, lost income, mental anguish, reputational damages, attorney's fees, litigation costs and other damages to be proven at trial.

WHEREFORE, Keith hereby demands a trial by Jury, and a judgment against Boutwell of at least \$100,000.00 in compensatory damages, and \$100,000.00 in punitive damages.

RESPECTFULLY SUBMITTED,

Robert David Keith

BY:

Timothy J. Matusheski (MBN 100998)  
PO Box 15758  
Hattiesburg, MS 39404  
601-307-0221  
[www.mississippiwhistleblower.com](http://www.mississippiwhistleblower.com)

**FILED**

LAMAR COUNTY JUN 18 2012 CIRCUIT CLERK

*Leticia Wilson*

<b>COVER SHEET</b>		<b>Court Identification Docket #</b>	<b>Case Year</b>	<b>Docket Number</b>												
<b>Civil Case Filing Form</b> <i>(To be completed by Attorney/Party Prior to Filing of Pleading)</i>		<input type="text" value="37"/> <input type="text" value="1"/> <input type="text" value="C7"/> County #      Judicial      Court ID <input type="text" value="District"/> <input type="text" value="CH, CI, CO"/>	<input type="text" value="2012"/> <input type="text" value="2012"/> Month      Date      Year	<input type="text" value="0921"/> <input type="text" value="36"/> Local Docket ID												
Mississippi Supreme Court Administrative Office of Courts	Form AOC/01 (Rev 2009)	This area to be completed by clerk														
In the CIRCUIT <input type="checkbox"/> Court of Lamar <input type="checkbox"/> County <input type="checkbox"/> Judicial District																
<b>Origin of Suit (Place an "X" in one box only)</b> <input checked="" type="checkbox"/> Initial Filing <input type="checkbox"/> Reinstated <input type="checkbox"/> Foreign Judgment Enrolled <input type="checkbox"/> Transfer from Other court <input type="checkbox"/> Other <input type="checkbox"/> Remanded <input type="checkbox"/> Reopened <input type="checkbox"/> Joining Suit/Action <input type="checkbox"/> Appeal																
<b>Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form</b> Individual Keith Robert <span style="float: right;">D <input type="checkbox"/> Jr/Sr III/IV</span> Last Name      First Name      Maiden Name, if applicable Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____ Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____																
<span style="font-size: 2em; font-weight: bold;">FILED</span> <span style="float: right;">LAMAR COUNTY JUN 18 2012 CIRCUIT CLERK</span> <span style="font-size: 1.5em; font-family: cursive;">Leanne Wilson</span>																
Business _____ Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: D/B/A _____																
Address of Plaintiff 416 Pittman Road, Ellisville, Mississippi																
Attorney (Name & Address) Timothy J. Matusheski				MS Bar No. 100998												
Check (x) if Individual Filing Initial Pleading is NOT an attorney Signature of Individual Filing: _____																
<b>Defendant - Name of Defendant - Enter Additional Defendants on Separate Form</b> Individual Boutwell Doug <span style="float: right;">M.I. <input type="checkbox"/> Jr/Sr III/IV</span> Last Name      First Name      Maiden Name, if applicable Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____ Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____																
Business _____ Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: D/B/A _____																
Attorney (Name & Address) - If Known _____ MS Bar No. _____																
Damages Sought: Compensatory \$ <u>100,000.00</u> Punitive \$ <u>100,000.00</u>		Check (x) if child support is contemplated as an issue in this suit.* <small>*If checked, please submit completed Child Support Information Sheet with this Cover Sheet</small>														
<b>Nature of Suit (Place an "X" in one box only)</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;"> <b>Domestic Relations</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Child Custody/Visitation</li> <li><input type="checkbox"/> Child Support</li> <li><input type="checkbox"/> Contempt</li> <li><input type="checkbox"/> Divorce:Fault</li> <li><input type="checkbox"/> Divorce: Irreconcilable Diff.</li> <li><input type="checkbox"/> Domestic Abuse</li> <li><input type="checkbox"/> Emancipation</li> <li><input type="checkbox"/> Modification</li> <li><input type="checkbox"/> Paternity</li> <li><input type="checkbox"/> Property Division</li> <li><input type="checkbox"/> Separate Maintenance</li> <li><input type="checkbox"/> Termination of Parental Rights</li> <li><input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA)</li> <li><input type="checkbox"/> Other _____</li> </ul> </td> <td style="width: 33%; padding: 5px;"> <b>Business/Commercial</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Accounting (Business)</li> <li><input type="checkbox"/> Business Dissolution</li> <li><input type="checkbox"/> Debt Collection</li> <li><input type="checkbox"/> Employment</li> <li><input type="checkbox"/> Foreign Judgment</li> <li><input type="checkbox"/> Garnishment</li> <li><input type="checkbox"/> Replevin</li> <li><input type="checkbox"/> Other _____</li> </ul> </td> <td style="width: 33%; 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